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Date: September 22, 2006

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Fax to: Commissioner for Patents

Attention: Examiner Christine D. Hopkins

Fax Number: 571-273-8300

Your File: Application No. 10/624,467

Fax From: Dana L. Turner

Fax Number: 604-689-7216

Our File: 8006P22

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Paul Smith, P.Eng., LL.B.  
Dana L. Turner, B.Sc. (Met. Eng.), LL.B.  
Lawrence Chan, B.Sc., LL.B.

Christine Sharik, Trademark Agent

September 22, 2006

Our File: 8006P22

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia  
22202

**VIA FAX ONLY**  
571-273-8300

Attention: Examiner Christine D. Hopkins

Dear Examiner Hopkins:

Re: United States Patent Application No. 10/624,467  
Title: TOTALLY IMPLANTABLE HEARING PROSTHESIS  
Inventors: BERRANG, Peter; et al.  
Applicant: Epic Biosonics Inc.

This is in response to the Office Action dated August 22, 2006. We enclose the following:

1. Transmittal Form (PTO/SB/21) (1 page);
2. Response to Office Action (9 pages);
3. Request to Remove Inventor (1 page);
4. Processing Fee Under 37 CFR 1.17(i) Transmittal (PTO/SB/17i) (1 page); and
5. Credit Card Form (PTO-2038) (1 page).

Yours truly,

for: Paul Smith  
Reg. No. 35,777

DLT/kb/enclosures  
8006p22.usp

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PTO/SB/21 (09-05)

Approved for use through 03/31/2007. OMB 0801-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10824,487	
	Filing Date	07/23/2003	
	First Named Inventor	Prior Boming	
	Art Unit	3735	
	Examiner Name	Hopkins, Christine D	
Total Number of Pages in This Submission	14	Attorney Docket Number	8006P22

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): Cover Letter Request to Remove Inventor Processing Fee Under 37 CFR 1.17(f) Transmittal Credit Card Payment Form (PTO-2038)
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Paul Smith Intellectual Property Law		
Signature	<i>Paul Smith</i>		
Printed name	Paul Smith		
Date	Sept. 21, 2006	Reg. No.	35,777

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to be 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**Application No:** 10/624,467  
**Title:** TOTALLY IMPLANTABLE HEARING PROSTHESIS  
**Filed:** July 23, 2003  
**First Named Inventor:** Berrang  
**Art Unit:** 3735  
**Examiner:** Hopkins, Christine D.  
**Attorney Docket No.:** 8006P22

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Examiner Hopkins:

**RESPONSE TO OFFICE ACTION**

In response to the Office Action dated August 22, 2006, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 8 of this paper.